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THE DEPUTY COMMONWEALTH STATISTICIAN, **TELEPHONE: 239911**



COMMONWEALTH BUREAU OF CENSUS AND STATISTICS

SIXTH FLOOR. PRUDENTIAL BUILDING, 195 NORTH TERRACE. ADELAIDE

DIVORCE

SOUTH AUSTRALIA

1965

SCOPE

This bulletin gives particulars of petitions filed and orders granted for dissolution of marriage, judicial separation, and nullity of marriage, during the year 1965 with comparable data for previous years where available.

In 1959 the Commonwealth Parliament passed the Matrimonial Causes Act 1959, which came into operation on 1st February 1961. This Act established uniform grounds throughout the whole of the Commonwealth for the termination of marriage and superseded the matrimonial cause laws for the States and Territories except in so far as the transitional provisions of the Act keep them in force for the purpose of completing pending proceedings. The main changes in South Australia were as follows:

- (i) The period of desertion constituting a ground for dissolution of marriage was reduced from three years to two years.
- (ii) A petition on the ground of separation for five years does not now require a Court order for judicial separation as a pre-requisite.
- (iii) The period of the decree nisi for dissolution or annulment of marriage was reduced from six months to three months.

The immediate effect was to increase both the number of petitions filed and orders absolute for dissolution in 1961.

In 1961 all but 79 of the 718 decrees absolute granted for dissolution were for petitions filed under the old legislation. Since then most such decrees granted have been for petitions filed under the new legislation - 487 out of 685 in 1962, 699 out of 765 in 1963, 838 out of 887 in 1964, and 835 out of 852 in 1965. This should be kept in mind when making comparisons over the years of the figures relating to grounds in tables 3 and 4.

COMMENT

The number of petitions filed for dissolution has risen each year since 1960 and the 1,107 in 1965 is the highest yet filed in one year.

The principal grounds upon which petitions for dissolution of marriage were filed in 1965 were desertion (and desertion with other grounds) which totalled 369, and adultery (and adultery with other grounds) with a total of 327.

The level which the number of orders absolute for dissolution reached in 1961 has risen further in the last 3 years, and the number of 852 orders granted in 1965 has been exceeded only by the record number of 887 granted in 1964. In 1965 more orders absolute for dissolution of marriage were granted to wives (498 or 58.4 per cent) than to husbands.

Some of the effects of the Commonwealth legislation are shown in the increase since 1960 in the number of dissolutions granted on the ground of desertion (and desertion with other grounds) from 215 to 324 and on the ground of separation from 2 to 180.

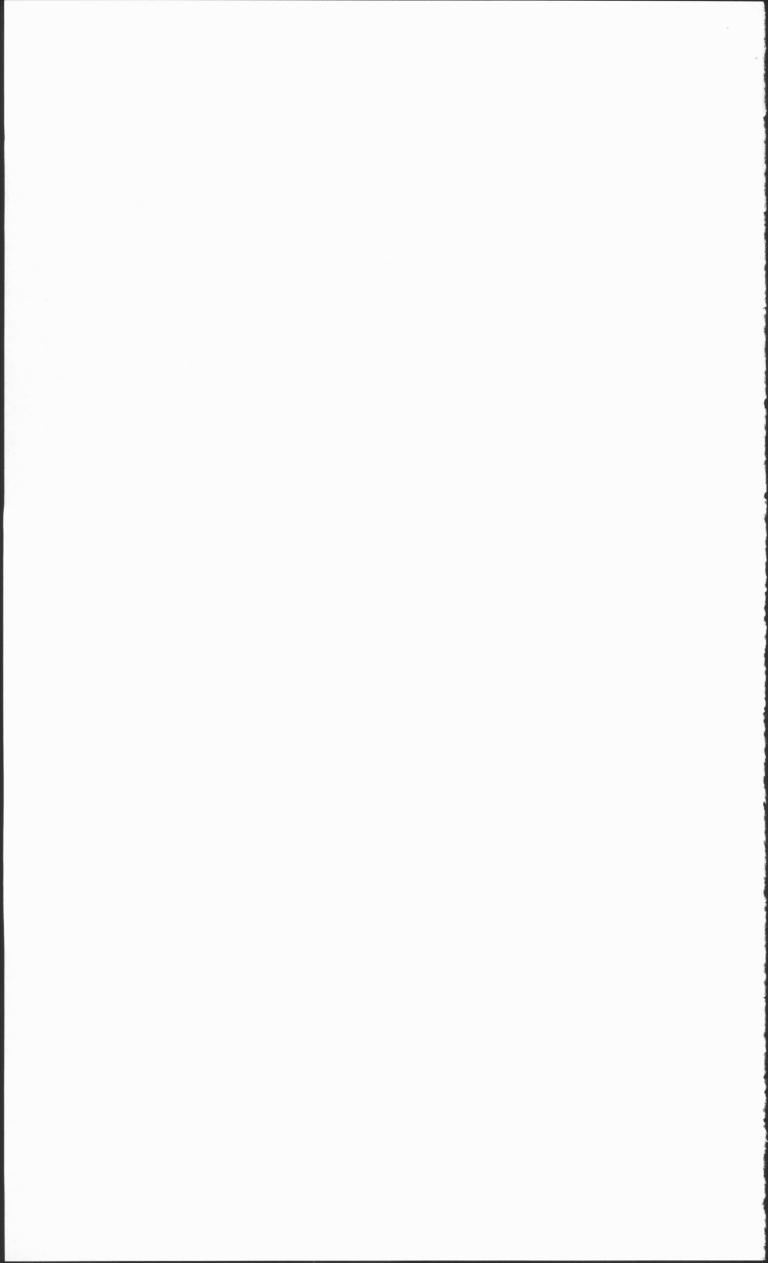


TABLE 1 - PETITIONS FILED AND ORDERS GRANTED, SOUTH AUSTRALIA, 1958 TO 1965

Particulars	Years										
	1958	1959	1960	1961	1962	1963	1964	1965			
PETITIONS Dissolution Nullity of marriage Dissolution or Nullity of marriage Judicial separation	791	789 6	781 8	865	910 4 1	1,005	1,034	1,107 13 2			
Total	796	796	789	877	916	1,014	1,045	***************************************			
ORDERS Dissolution - Nisi Absolute Nullity of marriage - Nisi Absolute Judicial separation	537 483 10 9	470 503 5	698 610 11	586 718 8	781 685 3 6	748 765 4 5	940 887 4 3	931 852 2 3			

It should be noted that fluctuations from year to year in the number of orders made may be independent of fluctuations from year to year in the number of petitions filed, because there is a considerable variation in the number of actions awaiting hearing at the end of each year.

TABLE 2 - PETITIONS FILED FOR DISSOLUTION OF MARRIAGE, NULLITY OF MARRIAGE, AND JUDICIAL SEPARATION: GROUNDS, SOUTH AUSTRALIA, 1963 TO 1965

72.111		1963	Man Million Principal Chimidelpho (Linguas Magas)	Belleti Millerda a de rigol (re deleno) que est 2014,	1964	мантабалда, и чен чен - онгаруудуу улуу (курку с		1965	th a thail mentagrasis receptor Planck et annaters plancker).
Ground	Hus- band	Wife	Total	Hus- band	Wife	Total	Hus- band	Wife	Total
	DISS	OLUTIO	ki-auther wateriere, arapapaaguyggyd	Верци «овеляция» («корыя рады»)	винаричення <u>в</u> насеронация однасн <u>ав</u> в.				
Single grounds -									
Adultery	1 132	112	244	149	98	247	156	146	302
Cruelty	3	121	124	4	150	154	2	175	177
Desertion	145	167	312	161	151	312	126	188	314
Drunkenness	1	10	11	7	17	18	2	18	20
Separation	67	127	194	66	115	181	66	107	173
Other single grounds	3	4	7	1	5	6	4	4	8
Dual grounds -									
Adultery and desertion	12	4	16	10	6	16	10	6	16
Adultery and cruelty	6453	13	13	1	12	13	-	9	9
Cruelty and drunkenness	663	13	13	1	13	14	1	20	21
Desertion and cruelty		5	5	1	13	14	COLUM	5	5
Desertion and separation	22	27	49	22	24	46	21	29	50
Other dual grounds	The state of the s	8	8	Queen	6	7	2	6	8
Multiple grounds	1	8	9	2	4	6	469	4	4
Total	386	619	1,005	420	614	1,034	390	717	1,107
	NU	LLITY (F MARR	IAGE			estancimente en esperimente de la companya de la c	eneral interpretation and the second	nacionalic resource de la constanting
Bigamy	100	1	4	sa.r	Eagle	tone	1	3	А
Incapacity to consummate	2	2	4	CEASU	5	5	S S	4	4
Invalid marriage	4138	4369	exce .	Na.r	Cm		2	4	4 2
Pregnancy	Cup	-	E-D	NAME OF THE PARTY.	45,58	cres	3	Bo .	3
Total	2	3	5	EGF AN SCHOOL ATTENDED TO A SERVICE AND A SE	5	5	6	7	13
	DISSOLU	PTON OF	NTILT.TI	V OF I	MARRIA(AND AS IN THE PARTY OF THE PART	ABBIES AT HE CONTROL PROCESSION OF THE		
Multiple				LI OF N					
Multiple grounds		CO	1	1	1	2	2	66D	2
	JU	DICIAL	SEPARA	TION					
Adultery	1 1 1	1	2	6239	11	11	- 1	3	3
Cruelty	6-7	1	q	cus.	2	2	coup		J
Drunkenness	CHIA	tion	es	409	1	1	car	1	1
Separation	Aug	643	cea	tion	Casa	49	140	1	1
Cruelty and drunkenness	AG .	4500	450	100	cu	ca	esp	5	5
Total	1	2	3	50	4	4		10	10

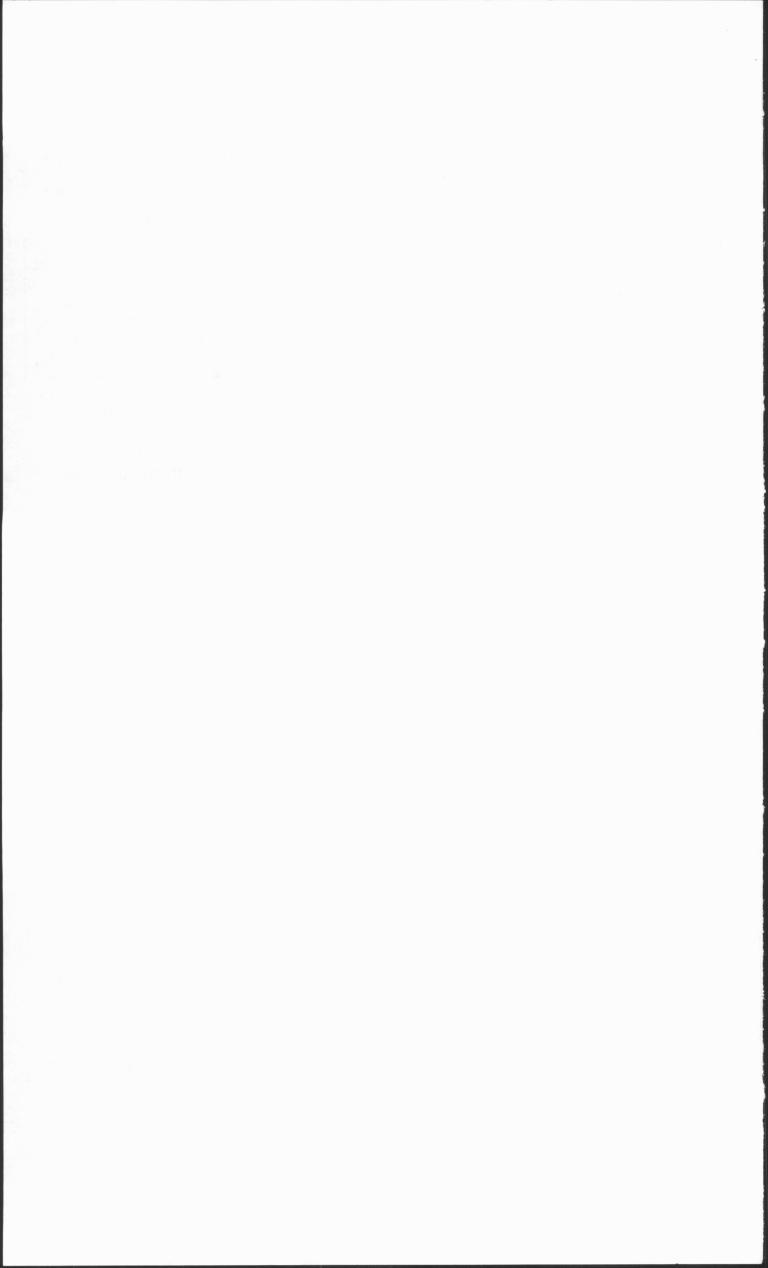


TABLE 3 - DISSOLUTION AND ANNULMENT OF MARRIAGE - ORDERS ABSOLUTE: GROUNDS, SOUTH AUSTRALIA, 1958 TO 1965

				Yea	ì.T°		ENS MENSEMBANNERSEN EN E	ganzanici necisionessa necisiona e estantici
Ground	1958	1959	1960	1961	1962	1963	1964	1965
Dissolution Adultery Adultery and desertion Adultery and separation Adultery and cruelty	203	175	274	235	174 1 - 3	202 5 2	243 8 1 5	2 14 6
Cruelty Cruelty and drunkenness Cruelty and separation Cruelty and sodomy Cruelty and frequent	82	90	103	138	60	82 5 1	102 9 - 1	101
convictions Desertion Desertion and cruelty Desertion and separation Desertion and drunkenness Desertion and refusal to consummate Desertion and failure to pay maintenance Desertion and presumption	184	218	215	289 2 1	301 4 1	269 3 16 1	268 6 34 2	312 8 3
of death Drunkenness	4	4	9	6	3	6	1 13	9
Drunkenness and separation Failure to pay maintenance Insanity Insanity and separation Separation (a) Other single grounds Multiple grounds	1 1 6 2	3 5 6 2	4 3	23 2 3	1 4 1 30 2	1 2 2 162 3 2	1 3 180 6 3	2 1 1 1 8 0 2
Total	483	503	610	718	685	765	887	852
Nullity Bigamy Incapacity to consummate(b) Invalid marriage	2 6 1	ADD:	Two Agrandants	2 2 2	3 2 1	2	etta 3	3
Total	9	7	9	6	6	5	3	3

NOTE: Prior to 1961 if more than one ground was stated one of the grounds was selected for classification as indicated above, e.g. "adultery and desertion" was classified as "adultery".

- (a) Those shown prior to 1961 were granted on the ground of five years separation pursuant to a court order for judicial separation or granting relief from co-habitation.
- (b) Figures prior to 1961 combine "impotence" and "non-consummation" and the latter term covered "refusal to consummate", which under Commonwealth legislation is now a ground for dissolution of marriage.

In the immediate post-war period adultery was the main ground for dissolution of marriage; of the 1,953 orders absolute for dissolution granted in the three years 1945 to 1947 there were 1,197 for adultery compared with only 585 for desertion and 101 for habitual cruelty. Subsequently dissolutions on the ground of adultery have become much less frequent and since 1949 have exceeded those for desertion in only 1958 and 1960.

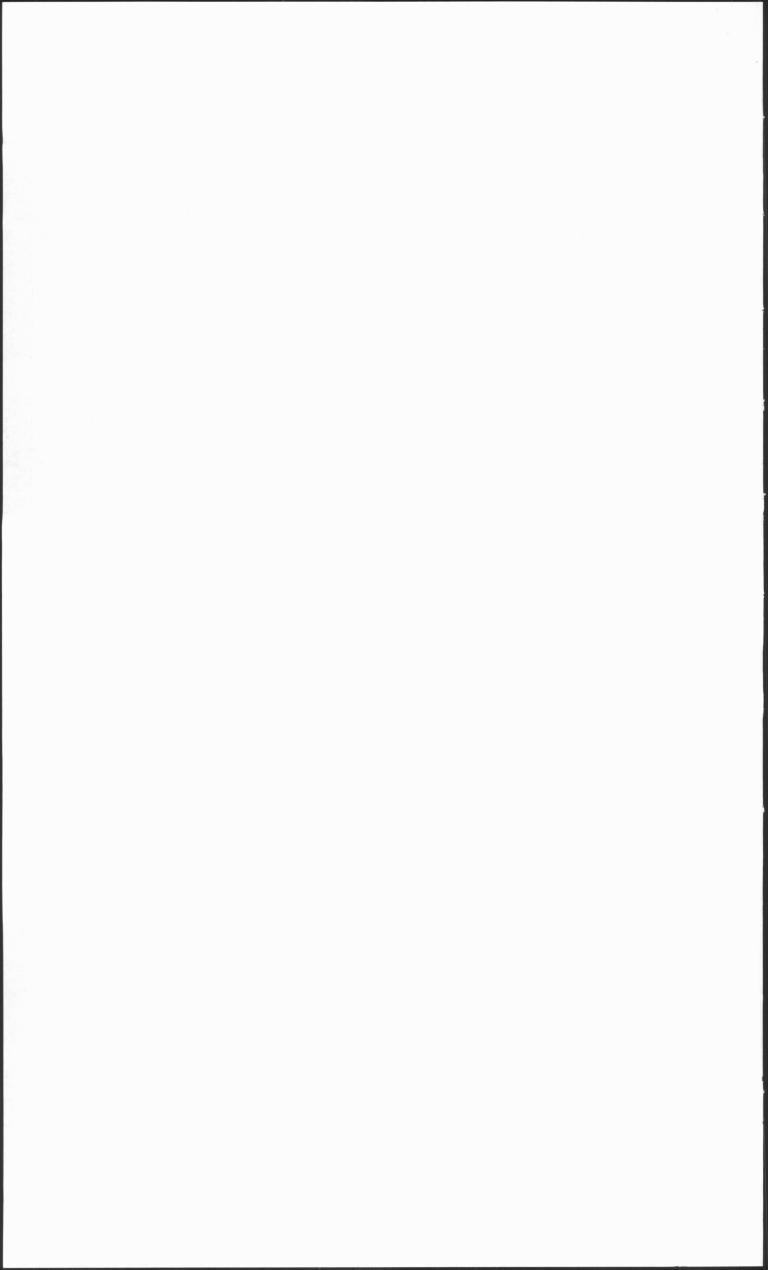


TABLE 4 - DISSOLUTION OF MARRIAGE - ORDERS ABSOLUTE: SEX OF PETITIONER AND GROUNDS, SOUTH AUSTRALIA, 1958 TO 1965

	Ground													
Ground	1958	1959	1960	1961	1962	1963	1964	1965						
	ON P	ETTTO	N OF H	TSBAND	Mariana de como en	Фоннализация тупом ч чивода очен	and the second s	A COLUMN SECULARIZATION AND A COLUMN SECURARIZATION AND A COLUMN SECULARIZATION AND A COLUMN SECURARIZATION AND A						
Adultery Adultery and desertion	126	108	172	126	(b) 108	121	(b) 140	124						
Adultery and cruelty	120	100	112	5	1	3	0	€a						
Cruelty	5	, 655	4	5	1	2	3	5						
Cruelty and separation Desertion		3.5		154	141	127	111	153						
Desertion and cruelty				154	141	137		123						
Desertion and separation	87	106	107	-	+CI2P	14	16	(b) 6						
Desertion and presumption					7									
of death Desertion and drunkenness			- All Districtions	623	CED	60	1	1						
Drunkenness	60	- 1	8273	1	esso	1	2							
Insanity	620	3	1	2	3	1	1	E23						
Separation (a) Other single grounds	1 1	2	4228	14	60	58	76	63						
Multiple grounds	672		- C7	(b) 1	679	1		900						
	0.00	000		(2) 200	(2) 245	2.50	(1) 250	1/2 \ 255						
Total	220	220	284	(b) 308	(b) 315	339	(b) 358	(b) 355						
	ON	PETITI	ON OF	WIFE										
Adultery	1	1	1	lf 109	l(b) 67	81	(b) 104	90						
Adultery and desertion	77	67	102	3	(0) 01	2	2	4						
Adultery and separation		22	and the second s	2	tap	QD .	1	809						
Adultery and cruelty Cruelty			Cale	(122	2	80	5 99	96						
Cruelty and drunkenness				133	59	5	9	3						
Cruelty and separation	77	90	99	CO.	e25	1		ca						
Cruelty and sodomy			Colonia Military (1970)	To the second se	623	cas	1	6253						
Cruelty and frequent convictions			The state of the s	A STATE OF THE STA	1673	GEN .	COS	1						
Desertion			SECTION OF THE SECTIO	135	160	132	157	159						
Desertion and cruelty		Martin vot augeliche	Commercial	2 (1	4	2	. 6	1						
Desertion and separation Desertion and drunkenness	97	112	108	The state of the s		2	18	(b) 3						
Desertion and refusal to			The state of the s	Control of the Contro										
consummate				SCORE CONTRACTOR OF THE CONTRA	-	1	400	cur						
Desertion and failure to pay maintenance				ACTION AND ACTION ACTION AND ACTION ACTION AND ACTION ACTION AND ACTION	10 10 10 10 10 10 10 10 10 10 10 10 10 1	953	1	4020						
Drunkenness)	4	3	9	5	3	5	11	9						
Drunkenness and separation				-	e>	1	E39	4000						
Failure to pay maintenance Insanity	4	3 2	4 2	4	1	2	1 2	2						
Insanity and separation	-	Good	lan			GT-68	- C	1						
Separation (a)	5	4	2	9	70	104	104	117						
Other single grounds Multiple grounds	Am	2	WW	(b) 3	2	3	4 3	6 2						
mer orbro Stoutes	COSP	V.SP	CED-		accioning alak menagasingah manaka asi abba dan disengangakan panaka		Januaria de la composition del							
Total	263	283	326	(b) 411	(b) 371	426	(b) 530	(b) 498						

⁽a) Those shown prior to 1961 were granted on the ground of five years separation pursuant to a court order for judicial separation or granting relief from co-habitation.

In all but four years since 1933 more orders absolute for dissolution have been granted on the petitions of wives than on the petitions of husbands.

In 1965, 98.0 per cent of orders absolute for dissolution on petitions of husbands, but only 74.9 per cent on petitions of wives, were granted on three grounds (adultery, desertion, separation), or combinations of these three grounds. Cruelty (19.3 per cent) accounted for most of the other orders absolute for dissolution granted to wives.

⁽b) Includes a dissolution granted to both husband and wife.

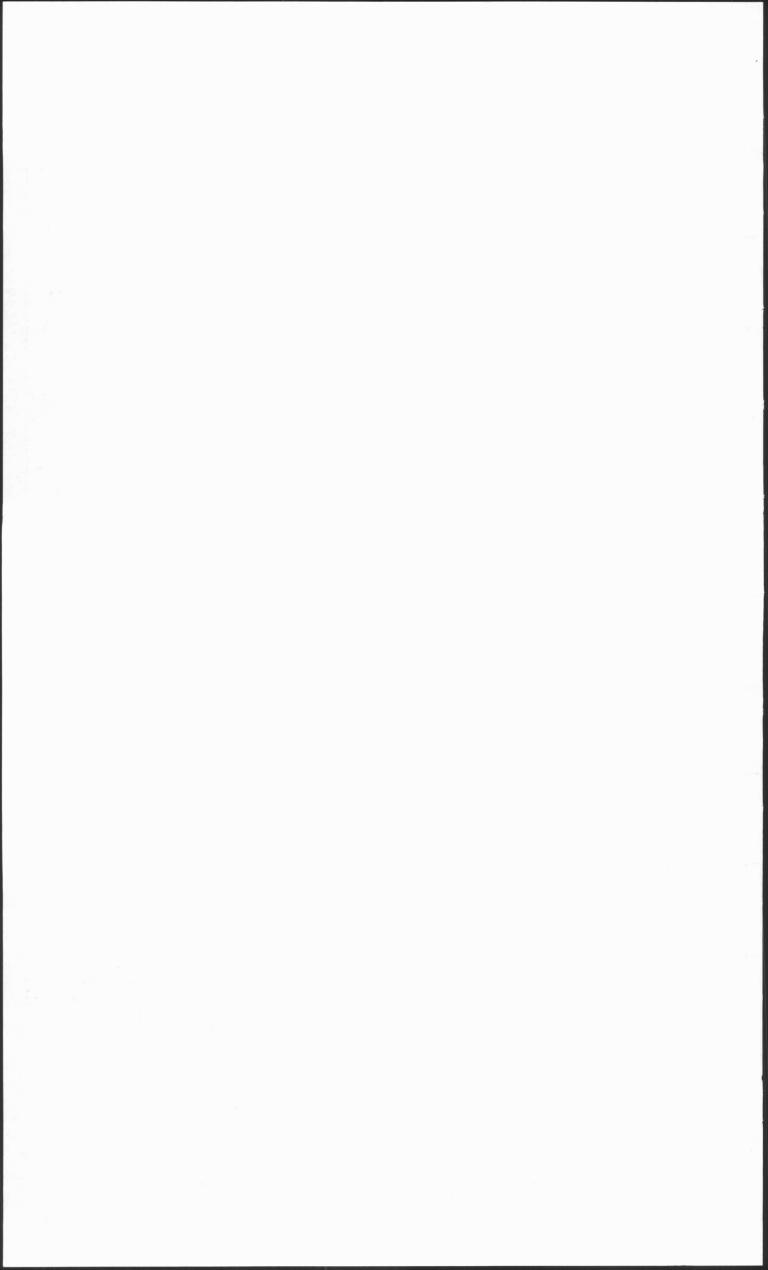


TABLE 5 - DISSOLUTION OF MARRIAGE - ORDERS ABSOLUTE: AGE AT MARRIAGE, SOUTH AUSTRALIA, 1963 TO 1965

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Age of				Age o	f Wife		1	n in distribution many life where the manufact of the field is the field in the field of the field in the fie		1964	1963
Husband	Under 20	20-24	25-29	30-34	35-39	40-44	45 & Over	Not Stated	Total	Total	Total
Under 20 20-24 25-29 30-34 35-39 40-44 45 and over Not Stated	42 175 43 10 4	12 218 106 30 12	18 44 13 10 2	4 13 13 7 6 4	3 4 5 9 8 5	2 2 2 1 5	2 2 10	200 200 200 200 200 200 200 200 200 200	54 418 212 73 46 20 26	53 399 245 100 45 20 19	38 352 187 89 43 23 28
Total 1965 1964 1963	275 245 218	380 392 322	88 139 115	47 52 42	34 27 31	12 9 18	14 17 14	2 6 5	852	887	765

When analysing the figures shown in Tables 5, 6 and 7 it should be remembered that there are more existing marriages of short duration than of long duration.

TABLE 6 - DISSOLUTION OF MARRIAGE - ORDERS ABSOLUTE: DURATION OF MARRIAGE AND NUMBER OF CHILDREN (a), SOUTH AUSTRALIA, 1962 TO 1965

	An ARTHUR CO. BEAUTY STANDER; C. MONTON MODEL COSTANT PORTS.	constitution of the state of the second of the state of t	MEMBERARY MALESTONES SHOPS SHOPS AND	1	965	Demokración (Tradición Actividado)		A CONTRACTOR OF THE CONTRACTOR	ROMER WINESPYTY AND COUNTY OF THE CARRIAGOUST	panedina, cis. Signaporo da pang disedi Anton di Pang disedi	
Duration			Number	of Chile	iren (a)			1964	1963	1962
of Marriage	0	1	2	3	4	5	6 & Over	Total	Total	Total	Total
0- 4 5- 9 10-14 15-19 20-24 25-29 30-34 35-39 40-44 45 and over	35 67 36 35 12 25 22 12 6	19 67 40 32 22 12 5	8 61 62 32 34 10 2	2 17 26 36 21 6 1	7 17 9 17 2	2 4 6 5 2	1 1 4 3 2	64 222 186 154 114 59 30 14 6	61 207 183 185 122 70 32 16 6	43 202 172 166 90 58 12 10	45 167 172 129 81 47 23 7 4
Total 1965 1964 1963 1962	253 260 243 236	198 227 199 194	210 205 166 140	109 118 94 60	52 48 51 40	19 21 6 11	11 8 6 4	852	887	765	685

(a) At time of petition. Under State legislation information obtained on "children" covered only living "issue" under 16 years; the Commonwealth Act provides for living "children of the marriage" under 21 years to be shown. As the numbers of orders absolute for dissolution in 1962 to 1965 combine those granted under both the old and the new legislation (see page 1 for proportions) the information on children for each of these years is not strictly comparable with that for each previous year.

During the eleven years to the end of 1960 there was an increase in the proportion of orders absolute for dissolution which involved 2 or more living issue under the age of 16 years. In 1949 these amounted to only 19.5 per cent of all orders absolute for dissolution, but in 1960 the corresponding percentage was 37.0 per cent. Since then comparability has been affected by the inclusion of children aged 16 years and over. 26.5 per cent of the orders absolute granted in 1965 were for dissolution of marriages which had lasted for 20 years or more. This proportion increased progressively from 15.3 per cent in 1958 to 25.1 per cent in 1962, fell to 23.8 per cent in 1963, but rose again to 28.3 in 1964.

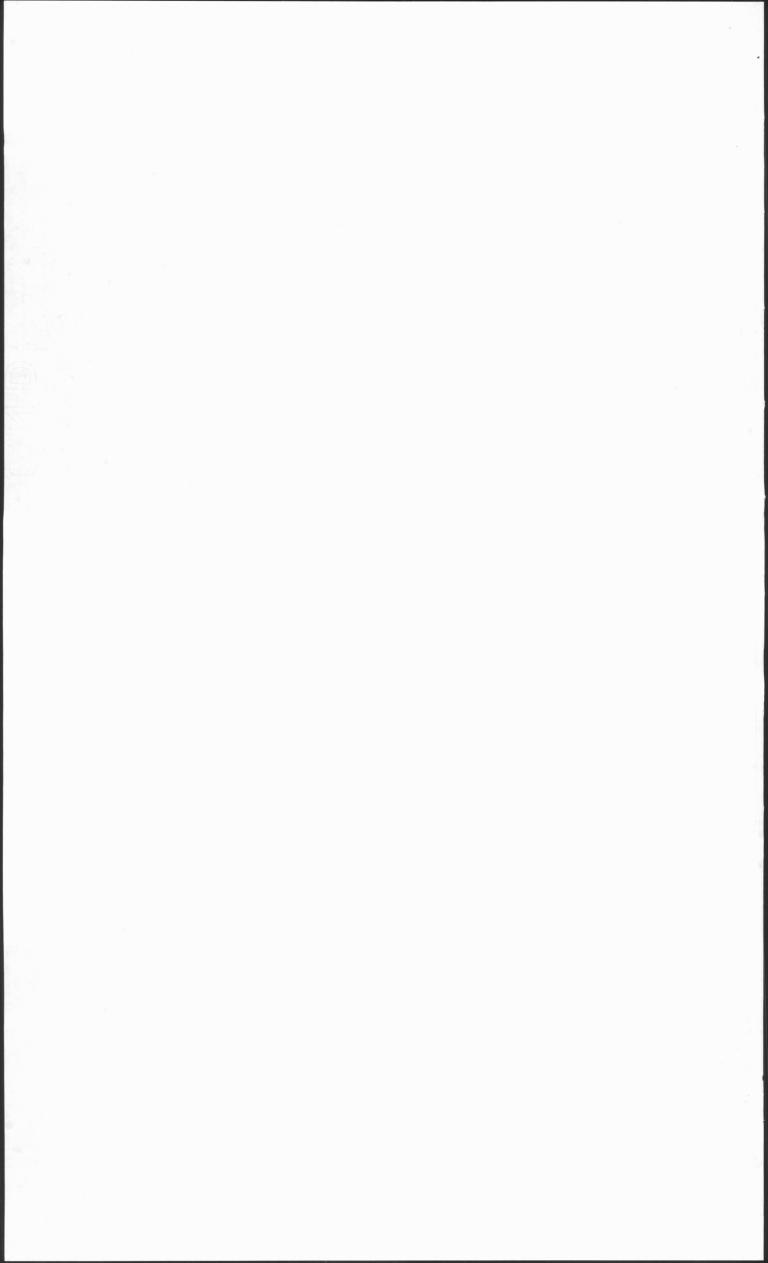


TABLE 7 - DISSOLUTION OF MARRIAGE - ORDERS ABSOLUTE: AGE AT TIME OF DIVORCE, SOUTH AUSTRALIA, 1962 TO 1965

			Antoniano i Santo de Albactera (Santo de Albactera (Santo de Albactera (Santo de Albactera (Santo de Albactera	19	65	K ATTENNESY OMOTHER BET ALCOHOL	PT-METICA RECERCIONACIO CARE TROMINONI GENERALI ARC	AMERIANDONE CAMPAGNAS THROSONAS A TRA	A department of folgon and fing in the service of	gagt region to the child against the group of the section and	
Age of		Age of Wife							1964	1963	1962
Husband	Under 25	25-29	30-34	35-39	40-44	45 & Over	Not Stated	Total	Total	Total	Total
Under 25 25-29 30-34 35-39 40-44 45 and over Not Stated	20 40 7 4	62 67 15 7 2	52 54 16 6	7 67 53 21	2 8 49 67	1 6 16 191	 	20 111 136 154 141 287 3	20 91 148 157 137 328 6	12 80 127 148 137 256	8 71 103 142 105 243 13
Total 1965 1964 1963 1962	71 70 48 48	154 133 123 98	137 133 124 124	148 159 139 125	126 145 131 93	214 241 195 183	2 6 5 14	852	887	765	685

The proportion of those aged 45 or more at the time of dissolution of marriage increased between the years 1958 and 1962 - the proportion of husbands from 22.4 to 35.5 per cent and the proportion of wives from 15.1 to 26.7 per cent. In 1963 these proportions fell to 33.5 and 25.5 for husbands and wives respectively, increased in 1964 to 37.0 per cent and 27.2 per cent, then fell to 33.7 per cent and 25.1 per cent. This trend, as would be expected, runs parallel to the trend in dissolved marriages with a duration of 20 years or more shown in Table 6.

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DEPUTY COMMONWEALTH STATISTICIAN
AND GOVERNMENT STATIST

Commonwealth Bureau of Census & Statistics ADELAIDE S.A.
4th August 1966

